

## Second-hand electricals

What follows is a summary and is not a comprehensive guide to the requirements of the Electrical Equipment (Safety) Regulations 1994 (as amended 2016), the Plugs & Sockets (Safety) Regulations 1994 (as amended 2016) and the Waste Electrical and Electronic Equipment (WEEE) Regulations. It is not a substitute for the advice provided by statutory authorities or a competent, suitably qualified professional advisor.

Please note: where we say 'must' in this guidance note, this is a legal safety requirement. For further advice and information, please contact your local trading standards office ([www.tradingstandards.gov.uk](http://www.tradingstandards.gov.uk)); if in doubt do not sell the item until you have taken further advice.

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### 1. General information

#### 1.1 Your responsibilities

Although electrical goods offer the potential to raise significant additional funds through charity shops, any electrical item offered for sale must be safe and comply with current safety requirements. It is a criminal offence to sell, or offer for sale, electrical equipment that is unsafe or incorrectly labelled. If you have not taken reasonable precautions to avoid this, you could receive an unlimited fine and/or be imprisoned for up to six months. Taking reasonable precautions means positive steps must be taken to ensure that the law is complied with. Anyone injured by unsafe goods sold by you may be able to claim compensation from you through the courts.

As well as your responsibilities to the public at large, as covered by the Electrical Equipment (Safety) Regulations 1994 (as amended 2016), you must be aware of your responsibilities to staff who are selling, inspecting and testing equipment. The Health and Safety at Work Act 1974 puts a duty of care upon both employer and employee to ensure the safety of all persons. It is important that procedures are set up to carry out the inspection and testing, and that records are kept of appliances inspected and tested so that sales persons will be able to identify such items. **We strongly recommend that a qualified electrician check all electrical goods before they are put on sale; otherwise, this may be done by an individual who has undergone the relevant training.**

The WEEE Directive was transposed into UK law in 2006, coming into force fully on 1 July 2007. Whilst the WEEE Regulations do not impose new burdens on charity shops selling second hand electrical items, it is important to be aware of them in dealing with your customers. The Regulations are summarised later in this chapter. There may also be opportunities under the Regulations for shops to become involved in the recovery of sellable WEEE.

## 1.2 What *can't* I sell?

All items which have **not** been inspected – and, if necessary, tested - and identified as such must **not** be put out for sale. As a good rule of thumb, be wary of electrical items which:

- Have cracks in the outer wiring, or visible interior wires
- Do not have a tightly secured three pin plug attached
- Have a plug with three fully brass pins: the bottom two of the three pins should be sheathed in plastic halfway up the pin

Because of the difficulty in obtaining information on the history of an item, usage and condition may be unknown and it can be difficult to assure the item's safety. As a result, you may consider not selling certain items, for example:

- Electric blankets, particularly those that are more than ten years old; blankets must have the British Standard Kitemark and the new heart-shaped
- British Electrotechnical Approvals Board (BEAB) symbol on them [right]
- Heating pads or sun beds
- Microwave ovens: these need a leakage test as well as portable appliance testing
- Christmas tree lights
- Appliances intended to be permanently connected to fixed wiring, such as cookers.
- Any appliance which has been modified or repaired with a part which was not an identical replacement for the original or which shows any other sign of alteration
- Appliances for which there are no instructions where these are required to ensure safe working, for example: lawn mowers, strimmers and health lamps



This is not an exhaustive list; some of these goods can be sold provided they have been tested with the correct equipment and have sufficient instructions for safe use.

Please note that some electrical goods are prohibited from sale in the UK, regardless of whether or not they have been tested. For example, the following goods (in this non-exclusive list) may not be sold, either new or second-hand:

- Domestic electric fires whose fireguard does not meet British/European Standards, which covers the distance between the bars and the strength of the guard
- Any electrical item which is not correctly fitted with an approved plug with sleeved neutral and live pins and the correct fuse
- FM modulators: these devices use the FM broadcast band – which, in the UK, is for the exclusive use of licensed broadcasters - to transmit radio signals to vehicle radios
- Phone jammers/blockers: these devices are solely intended to block radio signals – including those of mobile phones – and thus cannot be sold, as they would disrupt licensed radio broadcasts

In addition, specific regulations apply to certain items such as spin driers or radiant/electric fires; your electrician should be able to advise you on these. For hygiene and safety reasons, other appliances, such as electric shavers, may also not be suitable for sale.

### 1.3 What *can* I sell?

Only items which have been inspected and tested and identified as necessary can be put out for sale. Due to lack of display space available, many charity shops only sell small products such as CD players and other audio equipment, hairdryers, irons, kettles, toasters and some power tools. (This is not an exhaustive list.) If the space and expertise is available, a wider range of goods may be sold; larger white goods tend to have a higher profit margin.

All electrical items (including their mains leads and plugs) put out for sale:

- must comply with current safety regulations
- should carry the manufacturer's brand name/trademark
- should have operating instructions, if appropriate.

## 2. Checking and testing appliances

Inspection, testing and checking procedures should be carried out in accordance with the Code of Practice for In-Service Inspection and Testing of Electrical Equipment, published by the Institution of Engineering and Technology (IET):

<http://electrical.theiet.org/books/index.cfm>

Trading Standards Officers advise that functionality of an electrical item needs to be proved to manufacturers' standards: an electrical safety check is not sufficient in itself.

### 2.1 General Requirements

If equipment complies with an acceptable standard - e.g. a British/European Standard - it will normally meet safety requirements. These safety requirements cover:

- Labelling, construction, design and manufacture
- Insulation and earthing
- Protection from electric shock
- Adequate guards for radiant heaters or moving parts
- Prevention of the generation of excessive heat, radiation or toxic gases
- The need to provide instructions for safe use

### 2.2 Preliminary examination

Items should be discarded if, for example:

- The appearance or condition is too poor to be suitable for sale
- They are dirty or unhygienic
- There is obvious damage or deterioration

In addition, items must not be sold if:

- There is a potential mechanical hazard e.g. from parts which can rotate without covers/guards being in position
- There is potential fire or other hazard from high temperatures

- There is a safety or temperature cut-out switch which does not operate
- Live parts are accessible without the use of tools
- Any on/off switches are not working

## 2.3 Wiring

You **must** ensure that the flex is not worn, has no nicks, cuts or other damage, has no joins, is not repaired with insulating tape and has no bare conductors showing. All flexes for mains-powered equipment must be insulated and sheathed cables. Bell flex, which is merely insulated cable, must **not** be used.

The conductors of a 3-core mains lead have insulation coloured as follows:

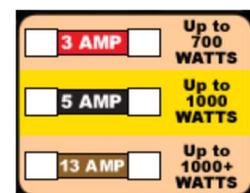
- Earth – green-and-yellow
- Neutral – blue
- Live – brown

Wiring with the old red, black and green colour code is very old and should be replaced. Some products, such as hair dryers, are double insulated and have a 2-core mains lead.

## 2.4 Plugs and Sockets-outlets

Electrical appliances put out for sale must be correctly fitted with an approved plug (British Standard BS 1363), with sleeved live and neutral pins. Always follow the manufacturer's instructions. The following strictures apply:

- The plug should not show any signs of damage or discolouration due to overheating.
- The plug should not have loose pins.
- The bottom two of the three pins should be sheathed in plastic halfway up the pin.
- The cord grip of the plug should be secured tightly on to the sheath of the cable and none of the coloured cores should be showing.
- The connections within the plug must be correctly made (green-and-yellow connected to the earth pin, brown connected to the live pin via the plug fuse and blue connected the neutral pin). The connections must be tight.
- The plug should be fitted with the correct fuse (to BS 1362), which should clip securely into its holder and should not be loose. Most table lamps, televisions, videos, computers, mixers, blenders, power drills and soldering irons will consume 700W or less, and so take a 3A fuse. Larger appliances such as washing machines, dishwashers, toasters, irons and heaters will use more than 700 W, and take a 13A fuse. Manufacturer's recommendations may mean some IT equipment is fitted with a 5A fuse.
- Plugs must carry the name and reference number of the approval body, normally BSI or ASTA.



### 2.5 Personnel

A suitably experienced person – such as an electrician, electrical retailer, someone with an appropriate electrical qualification (e.g. the City and Guilds 2377/002 course) or one who has undergone the relevant training – should check **all** mains electrical appliances. The key issue is that the tester is competent and capable.

The Code of Practice for In-Service Inspection and Testing of Electrical Equipment, prepared by the IET, states that the test operatives **should**:

- have been trained in the identification of equipment and appliance types
- have been trained so as they have an understanding of how electrical, mechanical or thermal damage can occur in electrical equipment, flexes, plus and connections
- be able to determine the test procedures and frequency of inspection and testing
- be familiar with the equipment used to test goods, and of the limitations of such tools
- be able to fill in and sign records of work undertaken

HSE guidance states that all testing personnel **must**:

- understand that the risk of electric shock injury will still remain during the testing process, even with the use of earth-free test areas and/or isolating transformers and/or residual current devices (RCDs)
- fully understand the scenarios in which these electric shock injury risks can arise in the particular workplace[s]
- be given adequate first-aid training, including cardiac pulmonary resuscitation (CPR) skills.

The Health and Safety Executive have published detailed guidance documents on Safety in Electrical Testing at work, for persons carrying out the inspection and testing, which provide further information on the provision of a safe working environment (further details at the end of this guidance note). These leaflets are available free from the HSE by telephoning 01787 881165 or by visiting their website: [www.hse.gov.uk/electricity/](http://www.hse.gov.uk/electricity/)

### 2.6 Testing location

An area in the backroom should be designated and kept exclusively for the inspection and testing of electrical goods. This area should be clearly signed and the layout arranged so that there is no hazard to the test operative or other shop personnel. Testing need not be carried out on the same premises in which the goods are offered for sale. If testing of electrical goods is carried out in other areas such as home workshops, the testing facilities should be checked and guidance should be sought on insurance implications. The location should include socket outlet[s] fed via a local residual current device with a tripping current not exceeding 30 mA.

The test area should be well illuminated and provided with space for the storage of test equipment, spare flexes, plug tops, fuses, tools and records as well as appliances. There should be a clear demarcation between goods approved for resale and other goods. No one other than the test operative may be in this designated area when testing is in progress. The location should include test socket outlet(s) fed via a residual current device with a tripping current not exceeding 30 mA.

While it is not essential, the testing location should also include:

- A rubber mat (BS921 minimum of 0.915m wide and 9.5mm thick)
- A non-metallic chair/stool

For a more comprehensive guide on testing facilities, please refer to the HSE Guidance 'Safety and Electrical Testing at Work – General Guidance': [www.hse.gov.uk/pubns/indg354.pdf](http://www.hse.gov.uk/pubns/indg354.pdf)

### 2.7 Items that fail the electrical test

Items that do not pass the electrical test may be sold using a Trade Sales Invoice to bona fide electrical traders who have the knowledge to repair them. **Goods that have not passed the electrical test must under no circumstances be sold to volunteers or members of staff.**

## 3. Other issues

### 3.1 Labelling and records

An electrical goods register for each tested and approved appliance should be maintained recording:

- The date of testing
- The appliance serial number
- A description of the appliance
- Name of the shop or depot where it was tested
- The name and signature of the person who passed the appliance

After testing, a label should be attached to each item stating 'Pass' or 'Fail' together with the initials of the tester and the date.

### 3.2 Refunds and guarantees

Charity shops selling electrical goods should have a policy on refunds and guarantees. One possibility could be to issue a guarantee on electrical goods of up to three months from the date of sale.

A full refund would then be given against any product which ceases to work satisfactorily during that period. To obtain a refund the purchaser should be asked to produce a receipt, which should be checked against the electrical goods register. Electrical goods returned by customers must not be sold until they have been re-tested and approved.

### 3.3 Storing electrical goods

An example of how electrical goods can be stored is to identify three clearly marked separate areas/containers for items:

- Not yet tested
- Passed the test and ready for sale
- Failed the test and ready to be safely disposed of

### **3.4 Sale of computer equipment**

Unless the appropriate paperwork for the software on the system is provided, the processor must have ALL the software removed by wiping the hard disk before the computer can be put out for sale. This should be done by using a programme that guarantees no information can be re-accessed; reformatting the hard disk is not enough.

BT have told us that charity shops may sell on donated modems and routers, provided the donor's contract had completed/finished; in this instance the broadband equipment is the householders' to do with as they wish. We have not been able to get through to anyone at Virgin who can understand the question, but it is likely the same is true for them as well.

### **3.5 Sale of television equipment**

The Wireless Telegraphy Act of 1967 (as amended) has been repealed, meaning that from 25 June 2013 onwards you no longer need to send the TV licensing body customer name and address details when you sell or rent out TV equipment. This also means your charity no longer has to keep sales records to comply with the law on TV Licensing. If you don't need these records for anything else you can destroy them from 25 June 2013.

### **3.6 Sale of mobility equipment**

Shops which sell mobility equipment must ensure that the goods have been tested and deemed safe and fit for purpose, with an appropriate H&S description. If there are defects with the equipment – like scratches to paintwork, rather than electrical faults – then these should be pointed out to the purchaser prior to the sale. Guidelines or instructional booklets should be given to the customer, where available: vendors have an obligation to give as much information as they can to prospective purchasers.

N.B. It is the customer's responsibility – and not that of the shop staff – to know what mobility equipment is best suited for their individual needs and it is up to the customer to liaise with their doctor on this.

## 4. Disposal

### 4.1 WEEE Directive

The Waste Electrical and Electronic Equipment Directive (WEEE Directive) was implemented in the UK in 2006 by the WEEE Regulations, which were fully in force on 1 July 2007. Under the Regulations, producers and retailers of new electrical and electronic equipment (EEE) are required to collect and arrange the reuse, recovery, recycling or environmentally sound disposal of all WEEE. Financing costs of these fall to producers. The Regulations apply to products when they are first placed on the market, so there are no immediate effects on the sale or disposal of second hand EEE.

Consumers are encouraged to – but not required not to – co-dispose of their WEEE in the municipal waste stream. They will be able to exchange equivalent WEEE when they purchase new EEE (“in-store takeback”), or – if retailers do not offer this facility – take their WEEE to “Designated Collection Facilities (DCFs)” and deposit it free of charge. The Government is keen for local authorities to allow DCFs to be based at their civic amenity sites, but they are not required to do so. Equally, there is no obligation on local authorities to carry out kerbside collection of WEEE and local authorities may still charge for doorstep collections as at present. Currently, charity shops cannot take their WEEE to DCFs. Charity shops selling second hand EEE are not required to offer in-store takeback facilities.

It should be noted that the Government is keen to encourage the reuse of WEEE in line with the objectives of the Directive and this is feeding into a review of developing a best practice indicator on reuse. The implementation of the WEEE Directive also provides charity shops with further opportunities to provide services for the collection, refurbishment and sale of potentially valuable second-hand electrical items, and to co-operate with both local authorities and other community recycling groups to maximise the potential benefits.

Please see our guidance note on WEEE for more information.

### 4.2 Hazardous Waste Directive

Under the Hazardous Wastes Directive, charities that produce more than 200kg of hazardous waste per annum are required to register with the Environment Agency as a producer of hazardous waste. Electrical equipment considered to be hazardous are those containing fluorescent tubes or other mercury containing waste, e.g. TV’s and those containing chlorofluorocarbons (CFCs), e.g. Fridges. Hazardous waste must be disposed of in accordance with the Directive by all charities, regardless of the amount of hazardous waste produced. Please see our guidance note on Duty of Care for more information.

### 4.3 Disposal costs of electrical items

It is not at all clear whether implementation of the WEEE Regulations will lead to any increased costs of disposal of WEEE – there is certainly no reason for this to happen. However, the Hazardous Wastes Directive will increase the cost of disposal of some electrical items. For shops not able to sell electrical goods, it is advisable to have prominent signs stating that electrical goods cannot be received to avoid large volumes of such donations.

## 5. Useful publications and organisations

There are several useful publications available on electrical goods. They include:

INDG231REV (2012): Electrical safety and you – Six page leaflet for staff and volunteers, available as a free pdf: [www.hse.gov.uk/pubns/indg231.pdf](http://www.hse.gov.uk/pubns/indg231.pdf)

INDG 354 (2002): Safety and electrical testing at work - General Guidance - Booklet, available as a free pdf: [www.hse.gov.uk/pubns/indg354.pdf](http://www.hse.gov.uk/pubns/indg354.pdf)

E1S35 (2002): Safety in electrical testing: Servicing and repair of domestic appliances – Four page leaflet, available as a free pdf: [www.hse.gov.uk/pubns/eis35.pdf](http://www.hse.gov.uk/pubns/eis35.pdf)

E1S36 (2002): Safety in electrical testing: Servicing and repair of audio, TV and computer equipment – Four page leaflet, available as a free pdf: [www.hse.gov.uk/pubns/eis36.pdf](http://www.hse.gov.uk/pubns/eis36.pdf)

All of the above publications, as well as other free and priced publications are available from HSE Books, at:

Address: PO BOX 1999, Sudbury, Suffolk, CO10 2WA

Tel: 01787 881165

Fax: 01787 313995

Website: [www.hsebooks.co.uk](http://www.hsebooks.co.uk)

The Code of Practice for In-Service Inspection and Testing of Electrical Equipment (<http://electrical.theiet.org/books/inspection-test/in-service-inspection-4th-ed.cfm>) is available from The Institution Engineering and Technology, at:

Address: Michael Faraday House, Six Hills Way, Stevenage, Hertfordshire SG1 2AY

Tel: 01438 313311

Fax: 01438 765 526

Website: [www.theiet.org](http://www.theiet.org)

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